

Appl. No. 10/840,143  
Docket No. 9626  
Reply to Office Action mailed on April 14, 2010  
Customer No. 27752

## AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

### **Listing of Claims**

1. (Previously Presented) A pharmaceutical composition comprising:
  - (a) from about 55% to about 90% by weight of the composition of a suspended pharmaceutical active;
  - (b) from about 0.001% to about 1.00% by weight of a suspended stabilizing agent selected from the group consisting of phytic acid, disodium salts of ethylene diamine tetraacetic acid, calcium salts of ethylene diamine tetraacetic acid, tetrasodium ethylene diamine tetraacetic acid, sodium hexametaphosphate, di(hydroxyethyl)glycine, 8-hydroxyquinoline, and mixtures thereof; and
  - (c) from about 9% to about 39% by weight of a solvent;  
wherein the composition is encapsulated within a soft gelatin capsule.
2. (Original) The composition of Claim 1 wherein the composition comprises from about 58% to about 80% by weight of the suspended pharmaceutical active.
3. (Currently Amended) The composition of Claim 2 wherein the suspended pharmaceutical active is selected from the group consisting of antitussives, antihistamines, ~~non-sedating~~ ~~antihistamines~~, decongestants, expectorants, mucolytics, analgesics, antipyretics, anti-inflammatory agents, local anesthetics, and mixtures thereof.
4. (Original) The composition of Claim 1 wherein the composition comprises from about 0.01% to about 1.00% by weight of the suspended stabilizing agent.
5. (Canceled)

Appl. No. 10/840,143

Docket No. 9626

Reply to Office Action mailed on April 14, 2010

Customer No. 27752

6. (Previously Presented) The composition of Claim 1 wherein the suspended stabilizing agent is a disodium salt of ethylene diamine tetraacetic acid.

7. (Original) The composition of Claim 1 wherein the composition comprises from about 20% to about 39% by weight of the solvent.

8. (Previously Presented) The composition of Claim 7 wherein the solvent is selected from the group consisting of polyethylene glycols, polyvinylpyrrolidones, propylene glycols, glyceryl monolinoleates, glyceryl monooleates, C<sub>8</sub>-C<sub>10</sub> triglycerides, fractionated coconut oils, and mixtures thereof.

9. (Original) The composition of Claim 8 wherein the solvent is a polyethylene glycol solvent.

10. (Original) The composition of Claim 1 wherein the composition further comprises from about 0.1% to about 5% by weight of water.

11. (Previously Presented) A method of providing a stable soft gelatin capsule wherein the method comprises the steps of:

(a) formulating a pharmaceutical composition comprising:

- i) from about 55% to about 90% by weight of the composition\_of a suspended pharmaceutical active;
- ii) from about 0.001% to about 1.00% by weight of a suspended stabilizing agent selected from the group consisting of phytic acid, disodium salts of ethylene diamine tetraacetic acid, calcium salts of ethylene diamine tetraacetic acid, tetrasodium ethylene diamine tetraacetic acid, sodium hexametaphosphate, di(hydroxyethyl)glycine, 8-hydroxyquinoline, and mixtures thereof; and
- iii) from about 9% to about 39% by weight of solvent; and

(b) encapsulating the composition of (a) within the soft gelatin capsule.

12. (Currently Amended) The method of Claim 11 wherein the suspended pharmaceutical active is selected from the group consisting of antitussives, antihistamines, ~~non-sedating antihistamines~~, decongestants, expectorants, mucolytics, analgesics, antipyretics, anti-inflammatory agents, local anesthetics, and mixtures thereof.

Appl. No. 10/840,143  
Docket No. 9626  
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Customer No. 27752

13. (Canceled)

14. (Previously Presented) The method of Claim 11 wherein the suspended stabilizing agent is a disodium salt of ethylene diamine tetraacetic acid.

15. (Previously Presented) The method of Claim 11 wherein the solvent is selected from the group consisting of polyethylene glycols, polyvinylpyrrolidones, propylene glycols, , glyceryl monolinoleates, glyceryl monooleates, C<sub>8</sub>-C<sub>10</sub> triglycerides, fractionated coconut oils, and mixtures thereof.

16. (Original) The method of Claim 15 wherein the solvent is a polyethylene glycol solvent.

17. (Original) The method of Claim 11 wherein the pharmaceutical composition further comprises from about 0.1% to about 5% by weight of water.